

## REMARKS

Please consider this paper as a Request for Continued Examination.

Please also consider this paper as a petition for extension of time required to have this Request for Continued Examination and Amendment entered. Please charge any required fees to our deposit account No. 500687.

Reconsideration and allowance are respectfully requested.

Claims 1, 27 and 29-56 are pending in the application. Claims 30, 35-41, 43, 45-48 and 51-55 stand withdrawn pursuant to a restriction requirement.

Applicant's counsel thanks Examiner Mercado for the courtesy extended during the personal interview of 4 March 2008. The claim amendments set forth above and below arguments regarding the cited prior art are believed to be commensurate with the discussions held during the interview.

Basis for new claim 57 can be found in the originally filed application, including at pending claim 31. Basis for the amendment of claim 1 to include porous walls can be found in the originally filed application, including at page 5, lines 5-7 and Fig. 3. No new matter has been added by the amendments set forth above.

Applicants gratefully acknowledge the indication of allowable subject matter found in claims 31 and 50 and accordingly these claims have been amended to be in independent form as set forth above. No new matter has been added.

The rejection of claims 42 and 44 under 35 U.S.C. § 112, second paragraph, on page 2 of the Office Action, is obviated by the amendment to claims 42 and 44 set forth above. No new matter has been added. Accordingly, withdrawal of the Section 112 rejection is respectfully requested.

The rejection of claims 1, 27-29, 42, 44, 49 and 56 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No 5, 270,129 (Ishida) is respectfully traversed. The claimed invention is not anticipated by Ishida for the following reasons.

As discussed during the interview, amended claims 1, 27, 29, 42, 44, 49 and 56, as set forth above, now recite that the hollow member comprises two porous walls defining the fuel passage. The solid oxide fuel cells are present on at least one exterior surface of the walls. During operation, the fuel flows through the porous walls to contact the solid oxide fuel cells. See page 5, lines 5-7 and Fig. 3 of the originally filed application.

In contrast, Ishida does not disclose any walls, and surely not porous walls, upon which fuel cells are present. Furthermore, Ishida does not disclose modules, which are connected by connectors. Ishida cannot be modified to include the claimed porous walls and connectors, since Ishida forms the passages by lamination.

In view of the differences between the claimed invention and Ishida, withdrawal of the Section 102 rejection is respectfully requested.

The rejection of claims 32-34 under 35 U.S.C. § 103 as being unpatentable over Ishida in view of U.S. Patent No. 5,712,055 (Khandkar) is respectfully traversed. The claimed invention is not obvious over the theoretical combination of Ishida and Khandkar the following reasons.

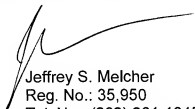
Claims 32-34 include the structure recited in claim 1. Thus, Ishida does not disclose the structure recited in claims 32-34 for the same reasons provided above. Khandkar does not provide the deficiencies of Ishida.

In view of the differences between the claimed invention and the theoretical combination of Ishida and Khandkar, withdrawal of the Section 103 rejection is respectfully requested.

Since all of the objections and objections of record have been addressed, it is believed that the application is in condition for allowance and Notice to that effect is respectfully requested.

Respectfully submitted,  
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